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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/055249-Conf. #8356
	Filing Date	January 22, 2002
	First Named Inventor	Hiroshi SHIMANUKI
	Art Unit	1745
	Examiner Name	J. S. Maples
Total Number of Pages in This Submission	Attorney Docket Number	IIW-014

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Return Receipt Post Card
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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	LAHIVE & COCKFIELD, LLP		
Signature			
Printed name	Anthony A. Laurentano		
Date	May 18, 2005	Reg. No.	38,220

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EV 466148572 US, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.	
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Dated: May 18, 2005

Signature:

(Anthony A. Laurentano)

Docket No.: IIW-014
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Hiroshi Shimanuki *et al.*

Application No.: 10/055249

Confirmation No.: 8356

Filed: January 22, 2002

Art Unit: 1745

For: FUEL CELL SYSTEM AND
HUMIDIFICATION METHOD

Examiner: J. S. Maples

RESPONSE TO RESTRICTION REQUIREMENT

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This is in response to the restriction requirement set forth in the Office Action mailed April 18, 2005 (Paper No. 041305).

The Examiner has required restriction between the following inventions in the above-identified application:

- I. Claims 1-9 and 12, drawn to a first fuel cell system/method, classified in class 429, subclass 13.
- II. Claims 10-11, drawn to a second fuel cell system/method, classified in class 429, subclass 34.

The Examiner states that the inventions are distinct, each from the other because of the following reasons: Group I includes non-porous water permeable membranes (having a pore size not greater than or equal to 10 nanometers in size) in the humidifier while Group II does not include such non-porous water permeable membranes in the humidifier.

Accordingly, Applicant hereby provisionally elects Group I, 1-9 and 12 for continued examination.

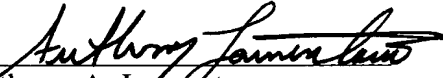
Applicants assert that a single search of pertinent prior art would appear to suffice for all aspects of the invention. Specifically, Group I and Group II appear to be so interrelated that a single examination would not appear to place a serious burden on the Examiner. Therefore, Applicant urges the Examiner to reconsider and withdraw the restriction requirement.

Applicants reserve the right to pursue the non-elected claims, or similar claims, in this or one or more subsequent patent applications.

Applicant believes no fee is due with this statement. However, if a fee is due, please charge our Deposit Account No. 12-0080, under Order No. IIW-014 from which the undersigned is authorized to draw.

Dated: May 18, 2005

Respectfully submitted,

By 

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